



Rep. Thomas Holbrook

**Filed: 5/24/2004**

09300SB1904ham001

LRB093 08690 JAM 51525 a

1 AMENDMENT TO SENATE BILL 1904

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1904 by replacing  
3 the title with the following:

4 "AN ACT concerning public employers."; and

5 by replacing everything after the enacting clause with the  
6 following:

7 "Section 5. The Military Leave of Absence Act is amended by  
8 changing Section 1 as follows:

9 (5 ILCS 325/1) (from Ch. 129, par. 501)

10 Sec. 1. Leave of absence.

11 (a) Any full-time employee of the State of Illinois, a unit  
12 of local government, or a school district, other than an  
13 independent contractor, who is a member of any reserve  
14 component of the United States Armed Forces or of any reserve  
15 component of the Illinois State Militia, shall be granted leave  
16 from his or her public employment for any period actively spent  
17 in military service, including:

18 (1) basic training;

19 (2) special or advanced training, whether or not within the  
20 State, and whether or not voluntary; and

21 (3) annual training.

22 During these leaves, the employee's seniority and other  
23 benefits shall continue to accrue.

1           During leaves for annual training, the employee shall  
2 continue to receive his or her regular compensation as a public  
3 employee. During leaves for basic training and up to 60 days of  
4 special or advanced training, if the employee's compensation  
5 for military activities is less than his or her compensation as  
6 a public employee, he or she shall receive his or her regular  
7 compensation as a public employee minus the amount of his or  
8 her base pay for military activities.

9           (a-5) For the purpose of this Act, leave for annual  
10 training includes either:

11           (1) Unit annual training. For an employee who is  
12 ordered to annual training as part of a military unit,  
13 annual training leave is limited to that unit's annual  
14 training period of consecutive calendar days for the  
15 federal fiscal year, as reflected in that unit's annual  
16 training order, but not to exceed 21 consecutive calendar  
17 days; or

18           (2) Individual annual training. For an employee who is  
19 not ordered to annual training as part of a military unit,  
20 annual training leave is limited per federal fiscal year to  
21 a maximum of either 21 consecutive calendar days or 15  
22 cumulative calendar days of annual training or other active  
23 duty performed in lieu of annual training, as reflected in  
24 individual military orders or other appropriate  
25 documentation.

26           For each federal fiscal year, an employee is entitled to  
27 annual training leave for either one unit annual training  
28 period, as described in subparagraph (1) of this subsection  
29 (a-5), or individual annual training, as described in  
30 subparagraph (2) of this subsection (a-5), but not both. An  
31 employee must provide his or her employing State agency, unit  
32 of local government, or school district with a copy of the  
33 employee's military orders to support his or her claim for  
34 annual training leave.

1           (b) Any full-time employee of the State of Illinois, other  
2 than an independent contractor, who is a member of the Illinois  
3 National Guard or a reserve component of the United States  
4 Armed Forces or the Illinois State Militia and who is mobilized  
5 to active duty shall continue during the period of active duty  
6 to receive his or her benefits and regular compensation as a  
7 State employee, minus an amount equal to his or her military  
8 active duty base pay. The Department of Central Management  
9 Services and the State Comptroller shall coordinate in the  
10 development of procedures for the implementation of this  
11 Section.

12           (Source: P.A. 93-409, eff. 8-4-03; 93-537, eff. 1-1-04; revised  
13 9-11-03.)

14           Section 99. Effective date. This Act takes effect upon  
15 becoming law."